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**Via email to chambers: [rau\\_chambers@mnd.uscourts.gov](mailto:rau_chambers@mnd.uscourts.gov)**

The Honorable Steven E. Rau  
Magistrate Judge, District of Minnesota  
United States District Court  
334 Warren E. Burger Federal Courthouse  
316 N. Robert Street  
St. Paul, MN 55101

RE: Ellen S. Ewald v. Royal Norwegian Embassy  
Court File No.: 11cv 2116 (SRN-SER)

Dear Magistrate Judge Rau:

This letter is written on behalf of the Plaintiff, Ellen S. Ewald, to request permission to file a supplemental affidavit/declaration in support of Ms. Ewald's Motion to Amend her Complaint. This request is made pursuant to Local Rule 7.1(a). We also intend to file a Reply Memorandum as provided in the Scheduling Order.

The reason for this request is twofold: first, to ensure that the Court has a full factual record of the circumstances under which Ms. Ewald brings her motion to amend; second, to underscore that these amendments are sought as Defendant Royal Norwegian Embassy ("Embassy") consented to permit these actions to be brought in this Court both generally and specifically.

Many years ago, while she was working at the Embassy, Ms. Ewald brought her claims of unequal pay to the LDO, an agency designed to assist employees and similar to the EEOC for Norway. The LDO responded it would look into the situation and advise her how to proceed, after getting information from the Justice Department in Norway on jurisdiction issues. It encouraged her to pursue the matter in the United States, rather than Norway, and said it would be in touch further. Unfortunately, no further direction from LDO to Plaintiff occurred. Finally, she brought her claims in the United States, and following a lengthy service process with which the Court is well aware, the case has proceeded.

In June of this year, Ms. Ewald became aware of a letter written in December 2007 by the Foreign Ministry of Norway. In that letter, Exhibit A to the Amended Complaint, the Ministry provides that actions brought locally by employed Embassy workers, like Ms. Ewald, may include claims under Norwegian law especially when Norwegian law provides a broader remedy. Norwegian law, unlike state and federal law in the United States, permits a broader claim for workplace retaliation in recognition of Norway prohibitions against workplace bullying.



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Moreover, the Foreign Ministry has gone on record in response to questions from members of the Norwegian Parliament, as well as the Norwegian media, stating that such claims are authorized and that, even in Ms. Ewald's case, such claims may go forward. For some reason, the Embassy is taking inconsistent positions abroad as compared to the representations made in pleadings before this Court. Given the position the Embassy is taking before this Court in its Memorandum in opposition to the motion to amend, the Court should be permitted to review the contrary statements made by the Norwegian officials abroad. All the relevant issues should be considered in connection with the motion to amend.

Accordingly, Ms. Ewald requests permission to supplement the record and provide copies of the relevant materials in our possession. A copy of this letter is being provided to counsel for the Embassy.

Very truly yours,

ENGELMEIER & UMANAH, P.A.

s/ Thomas E. Marshall

By

Thomas E. Marshall

TM/jkm

cc: Daniel Wilczek, Esq.  
Sean Somermeyer, Esq.  
Joel Schroeder, Esq.  
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